

**DENTISTRY EXAMINING BOARD  
NOVEMBER 3, 2004  
MEETING MINUTES**

- PRESENT:** Lori Barbeau, DDS; Bruce Barrette, DDS; David Carroll, RDH; Keith Clemence, DDS; Nanette Kosydar Dreves, RDH; Judith Ficks; Wilber Gill, DDS; Karen Jahimiak, DDS; Catherine Schleis, RDH; Richard Strand, DDS
- STAFF:** Kimberly Nania, Division Administrator; Dennis Schuh, DRL Board Counsel; Kevin Murphy, Bureau Assistant; Pam Haack, DRL Paralegal; and DOE Staff.
- GUESTS:** Scott Quandt, DDS; Alison Klein; Dennis Connolly, DDS; Paul Koehl, DDS; Julie Knoerr; Stephanie Mentzel; Dennis O'Brien, DDS; Mary Kenneke; Julie Sevenich; Dennis Godar, DDS; Dean Hussang, DDS; Mara Brooks; Constantine Stamatelakys, DDS; Mr. Dennis McGuire; Sabrina Fox; William Erbs, DDS; Constance Schuster, RDH; Ronald Rove, DDS; Jason Goodchild, DDS; Grant Lemke, DDS; Emily Kinsell Berger, RDH; Kory Wegner, DDS; Nathan Kratse; DDS; Reta Berge, RDH; Midge Pfeffer, RDH; Karen Ordinans; Ron Hermes; Shirley Gutowski, RDH; Russ Christian, DDS; Chris Kammer, DDS; Tony Hasseini, DDS; Brian Thielen, DMD; William Shaker, DDS; Mark Jackson, DDS; Roberto Monteagudo, DDS; Kathleen Endres, RDH.

**CALL TO ORDER**

Chair Bruce Barrette called the meeting to order at 8:35 a.m.

**APPROVAL OF AGENDA**

**Additions:**

Inserts for Items C, D, E, H, and "AADE Report"

Presentation and Deliberation of Stipulation – 01 DEN 048 – added after Item I.

Devan Toberman application added under "Application issues received in the bureau after mailing of agenda."

Add "Credentialing Report" after Item B.

- MOTION:** Ms. Dreves moved, seconded by Ms. Ficks, to approve the agenda with additions.  
Motion carried unanimously.

**APPROVAL OF MINUTES OF SEPTEMBER 1, 2004**

- MOTION:** Ms. Schleis moved, seconded by Dr. Jahimiak, to approve the minutes as drafted.  
Motion carried unanimously.

**PRESENTATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN THE  
MATTER OF DISCIPLINARY PROCEEDINGS AGAINST BRUCE NEWMAN, DDS, BY  
ATTORNEY JIM POLEWSKI – CASE ADVISOR – DR. JAHIMIAK**

DOE Attorney Jim Polewski presented the stipulation, final decision and order in the matter of Bruce Newman, DDS. This matter will be deliberated on in closed session.

**PRESENTATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN THE  
MATTER OF DISCIPLINARY PROCEEDINGS AGAINST JOSEPH KOTNOUR, DDS, BY  
ATTORNEY PAM STACH – CASE ADVISOR – DAVID CARROLL, RDH**

DOE Attorney Pam Stach presented the stipulation, final decision and order in the matter of Joseph Kotnour, DDS. This matter will be deliberated on in closed session.

**ADMINISTRATIVE REPORT**

**2005 Meeting Dates – review for approval**

**MOTION:** Dr. Jahimiak moved, seconded by Mr. Carroll, to approve the proposed meeting dates for 2005. Motion carried.

**Budget Update**

Dr. Nania, the Division Administrator for Board Services, outlined the budget cuts the Department has been forced to contend with. The Board asked questions regarding how the cuts will affect necessary services.

**CREDENTIALING REPORT**

Dr. Strand reported that in the last two months the Credentialing Committee has credentialed 11 dentists by endorsement and 12 by examination. For hygienists, 11 have been credentialed by endorsement, and 36 have been credentialed by examination. One hygienist endorsement candidate was denied.

**REVIEW AND DISCUSSION OF MEDICAID AND BADGERCARE POLICY ON DENTAL  
HYGIENISTS AT HEALTH CHECK NURSING AGENCIES REGARDING TOPICAL  
APPLICATION OF FLOURIDE AND/OR DENTAL SEALANTS BY DENTAL HYGIENISTS**

**MOTION:** Dr. Gill moved, seconded by Dr. Jahimiak, to contact the Department of Health and Family Services (DHFS) and inform them of the historical position of the DEB regarding the application of fluoride varnish and/or dental sealants that must first have a diagnosis by a DDS before application in a public health care setting and ask for clarity of the definition of agency protocol as it relates to this issue. Roll call vote: Barbeau—no; Barrette—yes; Carroll—no; Clemence—yes; Dreves—no; Ficks—no; Gill—yes; Jahimiak—yes; Schleis—no; Strand—yes. Motion failed, 5-5.

**REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION REGARDING FOREIGN TRAINED  
DENTIST EVALUATION PROGRAMS**

After the Chair read a prepared statement, the Board offered the following motion.

**MOTION:** Ms. Dreves moved, seconded by Mr. Carroll:

1) to adopt the findings of the committee in that there is presently no existing evaluation program for foreign trained dentists that adequately measures whether their training, specifically the clinical phase of their dental education, is equivalent to ADA approved programs;

2) to issue a letter to any person that applies for licensure under Ss 447.04 (1)(b) and DE 4.02 indicating that the board is unable to act on his/her application at the present time due to the unavailability of a board approved evaluation program;

3) and such letter be approved by the committee composed of Drs. Barrette, Gill, and Clemence. Letter shall be sent for pending applications for foreign trained dentists within the next ten business days. If the department has not issued such letters within the next ten business days, the secretary of the board is authorized to issue such letters. Future applications involving foreign trained dentists shall also be sent this letter within ten business days of receiving their completed applications. If the department has not issued such letters within ten business days, the board secretary is authorized to issue the letter. If a suitable evaluation program is approved by the board pursuant to Ss. 447.04 (1)(b) and DE 4.02, applicants may reapply for consideration at that time;

4) to include this entire report including all the attachments as part of the Board's minutes.

Motion carried unanimously.

#### **WISCONSIN ADMINISTRATIVE CODE § DEN 11 RELATING TO ANESTHESIA ADMINISTRATION ("ORAL CONSCIOUS SEDATION")**

##### **Clearinghouse Report**

The Board noted that it would discuss the Clearinghouse Report at the January meeting.

##### **Public Hearing**

Members of the public addressed the Board with their concerns and suggestions regarding the proposed rule.

#### **WISCONSIN ADMINISTRATIVE CODE § DEN 1.02 (4) (M) RELATING TO DEFINITION OF A DENTAL SCHOOL**

##### **Public Hearing**

No one from the public appeared to address the Board.

#### **BOARD WEBSITE POSITION PAPERS**

Ms. Dreves reported that no progress had been made on the position papers. She will give a report at the next meeting.

#### **PRACTICE QUESTION POLICY AND POSSIBLE BOARD ACTION**

**MOTION:** Dr. Gill moved, seconded by Mr. Carroll, to require all practice questions be routinely referred to the Board Leadership—the Chair, Vice Chair, or Secretary. Motion carried unanimously.

**CENTRAL REGIONAL DENTAL TESTING SERVICE (CRDTS) REPORT  
RICHARD STRAND, DDS**

Dr. Strand reported that work on the national uniform clinical exam is progressing rapidly.

**AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE) REPORT  
BRUCE BARRETTE, DDS**

Dr. Barrette noted that he, Ms. Ficks, Ms. Dreves, Dr. Jahimiak, and Dr. Strand attended the annual meeting in Orlando, FL. Dr. Barrette urged Board members to review the correspondence from AADE found in their red folders.

**MOTION:** Ms. Schleis moved, seconded by Ms. Ficks, to draft a letter to AADE, WREB, and all other necessary agencies expressing the Board's support for the national uniform clinical exam. Ms. Dreves will draft the letter. Motion carried unanimously.

**ADA NATIONAL BOARD DENTAL EXAMINATIONS – MARQUETTE UNIVERSITY –  
DECEMBER 13-14 – APPOINTMENT OF BOARD MEMBER AND REQUEST FOR APPROVAL  
OF IN-STATE TRAVEL**

The Chair noted that Ms. Ficks was appointed to attend.

**INFORMATIONAL ITEMS**

Noted.

**INVITATION OF NEW APPOINTMENT INTO CLOSED SESSION**

**MOTION:** Ms. Schleis moved, seconded by Dr. Barbeau, to invite Dr. William Skarie into closed session. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Ms. Ficks moved, seconded by Mr. Carroll, to convene to closed session to deliberate on cases following hearing (Wis. Stat. § 19.85 (1) (a)), to consider closing disciplinary investigation with administrative warning (Wis. Stat. § 19.85 (1) (b) and Wis. Stat. § 440.205), to consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g)). Motion carried unanimously in a roll call vote.

**RECONVENE INTO OPEN SESSION TO VOTE ON ITEMS DELIBERATED ON IN CLOSED  
SESSION**

**MOTION:** Ms. Ficks moved, seconded by Dr. Gill, to reconvene into open session. Motion carried unanimously.

The Board reconvened into open session at 3:00 p.m.

**DELIBERATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN THE  
MATTER OF DISCIPLINARY PROCEEDINGS AGAINST BRUCE NEWMAN, DDS – CASE  
ADVISOR – DR. JAHIMIAK**

**MOTION:** Ms. Dreves moved, seconded by Dr. Clemence, to adopt the stipulation, final decision and order in the matter of Bruce Newman. Dr. Jahimiak abstained from deliberation and voting. Motion carried.

**DELIBERATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN THE  
MATTER OF DISCIPLINARY PROCEEDINGS AGAINST JOSEPH KOTNOUR, DDS – CASE  
ADVISOR – DAVID CARROLL, RDH**

**MOTION:** Ms. Ficks moved, seconded by Dr. Jahimiak, to adopt the stipulation, final decision and order in the matter of Joseph Kotnour. Dr. Strand, Ms. Dreves and Mr. Carroll abstained from deliberation and voting. Motion carried.

**APPLICATION REVIEW – CRESSIDA BRADSHAW**

**MOTION:** Ms. Ficks moved, seconded by Ms. Schleis, to grant a hygienist license to Cressida Bradshaw. Motion carried unanimously.

**REVIEW OF APPLICATIONS – FOREIGN TRAINED DENTISTS**

The Board deferred action on these applications.

**MOTION:** Ms. Ficks moved, seconded by Dr. Gill, to delay action on the foreign trained dentist applications. Motion carried unanimously.

**DOE MONITORING**

**JAMES MARKENSON, DDS – REQUEST FOR THREE MONTH STAY**

**MOTION:** Dr. Barbeau moved, seconded by Ms. Schleis, to change Dr. Markenson's testing program to First Lab. Motion carried unanimously.

**MOTION:** Dr. Jahimiak moved, seconded by Mr. Carroll, to grant a three month stay of suspension in the matter of James Markenson, DDS. Motion carried unanimously.

**BLAIR MOLDENHAUER, DDS – REQUEST FOR THREE MONTH STAY AND MODIFICATIONS**

**MOTION:** Dr. Jahimiak moved, seconded by Dr. Strand, to eliminate the requirement for a mentor in the matter of Blair Moldenhauer, DDS. Motion carried unanimously.

**MOTION:** Ms. Dreves moved, seconded by Ms. Ficks, to deny the request for all other modifications. Motion carried unanimously.

**MOTION:** Dr. Jahimiak moved, seconded by Ms. Schleis, to grant a three month stay of suspension in the matter of Blair Moldenhauer. Motion carried unanimously.

**WILLIAM BEAUPRE, DDS – REQUEST FOR THREE MONTH STAY AND MODIFICATIONS**

**MOTION:** Ms. Dreves moved, seconded by Ms. Ficks, to grant a three month stay but deny modifications in the matter of William Beaupre, DDS. Motion carried unanimously.

**JOHN REED, DDS – REQUEST FOR THREE MONTH STAY**

**MOTION:** Ms. Schleis moved, seconded by Mr. Carroll, to grant a three month stay of suspension in the matter of John Reed, DDS. Motion carried unanimously.

**GREGG SEYLER, DDS – REQUEST FOR THREE MONTH STAY**

**MOTION:** Dr. Gill moved, seconded by Dr. Jahimiak, to grant a three month stay in the matter of Gregg Seyler, DDS. Motion carried unanimously.

**REBECCA SWENSON, DDS – POSSIBLE VIOLATION OF BOARD ORDER**

**MOTION:** Dr. Gill moved, seconded by Mr. Carroll, to suspend Dr. Swenson's license and grant a stay until the next meeting, January 19. Dr. Swenson will be required to take Board indicated courses for 8 hours of record keeping and 16 hours of individual training in crown and bridge. Dr. Gill will designate the approved courses. Motion carried unanimously.

**APPLICATION ISSUES RECEIVED IN THE BUREAU AFTER MAILING OF THE AGENDA**

**MOTION:** Dr. Strand moved, seconded by Ms. Schleis, to grant a license to Devan Toberman. Motion carried unanimously.

**CASE CLOSINGS**

**MOTION:** Dr. Clemence moved, seconded by Dr. Barbeau, to close case 01 DEN 048 for no violation. Motion carried unanimously.

**RESCINDING OF MOTION ON FOREIGN TRAINED DENTISTS**

**MOTION:** Dr. Gill moved, seconded by Mr. Carroll, to rescind the four-part motion under the title "Report, Discussion, and Possible Board Action Regarding Foreign Trained Dentist Evaluation Programs." Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Dr. Gill moved, seconded by Mr. Carroll, to adjourn the meeting. Motion carried unanimously.

Meeting adjourned at 3:35 p.m.

**Next Meeting: January 19, 2005**